

Formula Grants to States for Neglected or Delinquent Children (CFDA No.84.013)

I. Legislation

Title I, Part D, of the Elementary and Secondary Education Act of 1965, as amended by the Improving America's Schools Act (20 U.S.C. 8091) (expires September 30, 1999).

II. Funding History

State Agency Programs (Part D, Subpart 1)

<u>Fiscal Year</u>	<u>Appropriation</u>	<u>Fiscal Year</u>	<u>Appropriation</u>
1967	\$2,262,000	1987	\$32,616,000
1970	16,006,000	1988	32,552,000
1975	26,821,000	1989	31,616,000
1980	32,392,000	1990	32,791,000
1981	33,975,000	1991	36,107,000
1982	33,616,000	1992	36,054,000
1983	32,616,000	1993	35,407,000
1984	32,616,000	1994	35,407,000
1985	32,616,000	1995	39,311,000
1986	31,214,000	1996	39,311,000

Local Agency Programs (Part D, Subpart 2)

<u>Fiscal Year</u>	<u>Appropriation*</u>	<u>Fiscal Year</u>	<u>Appropriation*</u>
1995	\$45,973,000	1996	\$45,949,000

*These amounts are derived from funds provided for children and youth ages 5 through 17 living in local institutions for delinquent children and adult correctional institutions under the Title I, Part A, formula.

III. Analysis of Program Performance

A. Goals and Objectives

The programs authorized in Part D provide support to states and local education agencies (LEAs) for education programs to meet the special education needs of children and youth who are neglected, delinquent, or at-risk academically. The programs are designed with the expectation that these children and youth will meet the same challenging academic standards expected of all children.

Chapter 103-2

Part D consists of two specific programs:

1. Part D, Subpart 1 of Title I (formerly Part D of ESEA, Chapter 1), provides assistance to state agencies that operate educational programs for children and youth in institutions or community day programs for neglected or delinquent (N or D) children and in adult correctional facilities. Funds are allocated to states through a formula based primarily on the number of children and youth within their state agencies enrolled in a regular program of instruction operated by a state agency for at least 20 hours per week (if in an institution or community day program for N or D children and youth) or 15 hours per week (if in an adult correctional facility).
2. Part D, Subpart 2 (a new ESEA program created by P.L. 103-382, Improving America's Schools Act of 1994), provides assistance to LEAs for children and youth who are in local correctional facilities (including institutions for delinquent children) or are otherwise at risk of academic failure. The amount available to LEAs is derived from funds generated by children ages 5 through 17 residing in local institutions for delinquent children and adult correctional facilities under the Title I, Part A, formula, which the state retains and subgrants to LEAs either through a formula or on a competitive basis.

B. Strategies to Achieve the Goals

Services Supported

State-operated institutions and community day programs supported by Part D, Subpart 1, of Title I serve juveniles who are under 21 years old, lack a high school diploma or its equivalent, and are enrolled in a regular program of instruction. Program funds also support the transition of children and youth into educational programs or employment after they leave the institution or community day program. Part D, Subpart 1, contains a new provision that encourages institution-wide programs designed to serve the entire student population in a facility.

State agency N or D grants supported programs in all 50 states, Puerto Rico, and the District of Columbia in both 1991–92 and 1993–94. In 1993–94, 81 percent of the 222,394 students eligible for Title I, Part D, Subpart 1, services were served (V.1). In 1991, 59 percent of all juvenile facilities, and 26 percent of all adult institutions, operated a Title I, Part D, Subpart 1, program (V.2).

In some state-administered facilities, the population of neglected youth is larger than that of delinquent youth. In such cases, efforts are concentrated on activities for the population in need. For instance, in Massachusetts in FY 1997, 51 juvenile institutions received funding to provide services to 937 neglected youth. At the same time, 17 Massachusetts facilities received funding to provide services to 473 delinquent youth (V.3). Programs receiving Title I, Part D, Subpart 1, funding vary according to facility need. Funds are generally spent on staff salaries, instructional materials, computer hardware and software, staff training, and other education-related expenses (V.3). Facilities receiving funding under this program report the ability to upgrade their curriculum, technology, and staff professionalism (V.3).

The 1991 evaluation of the program found that many facilities receiving state agency N or D funds supported academic activities such as reading (81 percent), mathematics (80 percent), and language arts (52 percent). State N or D services also supported English as a Second Language (ESL) programs, study skills instruction, counseling, social skills training, and transitional services (V.2).

The Part D, Subpart 2, LEA program supports activities that serve children and youth under 21 who are in locally operated correctional facilities and delinquent institutions, or who are otherwise at risk. The statute broadly defines at-risk youth to include school-age youth who are at risk of academic failure, have drug or alcohol problems, are pregnant or parents, have come in contact with the juvenile justice system, are behind expected grade level appropriate for age, have limited English proficiency, are gang members, have dropped out of school, or have high absentee rates from school. Projects may use funds for a variety of activities such as dropout prevention programs, vocational education programs, alcohol and drug abuse counseling, health and social services, and career counseling.

Strategic Initiatives

The institution-wide project authorization contained in Section 1416 of ESEA encourages state agency N or D programs to combine their Title I funds with other federal and state education funds to upgrade the delivery of services to all students in the institution. This model allows the institution to focus comprehensively on strengthening its entire instructional program rather than focusing specific services piecemeal on individual students. In the past, state agency N or D projects generally employed Title I teachers to work only with Title I-eligible students. Instruction would often occur individually, in a small classroom setting, or through teacher assistants who provide individual assistance to targeted youth in the classroom. State agency N or D programs have typically focused on remediating math, reading, and language skills for those students in need of services. Early findings from a few states indicate that there is great variability in agencies' preference for targeted assistance or institution-wide programs based on their needs (V.3).

Transition services are critical to school reenrollment efforts and success in seeking employment. Programs that facilitate a connection with school districts increase the likelihood that a student will be more successful upon release. Research has suggested that transitional services include: interagency coordination, joint planning, transfer of records prior to the student's move from one jurisdiction to another, and availability of prerelease transition programs for incarcerated youth (V.4).

Title I, Part D, also requires each state agency or LEA that conducts a program under Subparts 1 or 2 to evaluate at least once every three years the impact of the program and its ability to (1) maintain and improve student educational achievement; (2) enable students to accrue school credits that meet state requirements for grade promotion and high school graduation; (3) help participating juveniles make the transition to regular education services upon release; and (4) help program participants complete high school and obtain employment after leaving the institution (V.3).

C. Program Performance—Indicators of Impact and Effectiveness

Although program performance indicators are being developed, objectives of the program provide a framework for assessing available information on the progress of the Title I, Part D, Programs for Neglected, Delinquent, or At-Risk Children and Youth.

Objective 1: At-risk and N or D students will show significant improvement in reaching challenging academic standards set by states.

Although some jurisdictions that operate Title I, Part D, programs use norm-referenced tests to assess youth receiving services, there is dissatisfaction with their limited focus. Frequently used testing instruments such as the Test of Adult Basic Education (TABE) or the Woodcock Johnson Psychoeducational Battery are easier to administer and may provide more information on attainment of

basic skills. Some jurisdictions, however, are developing more performance-based assessment techniques, which test proficiencies in core subjects by completing tasks that have applications to real-life situations. There is some consensus that performance-based assessments give teachers a more complete picture of the students' needs and strengths to permit more appropriate placement (V.3).

In addition, there is movement toward revising evaluation instruments to include incremental objectives providing measurements of a student's progress toward larger goals. For instance, one state uses a combination of teacher-made tests, rating scales, student journals, project reports, and teacher evaluations to provide information for the evaluation of student proficiencies. The state finds this combination useful as it links academic skills and knowledge to real-life problems and situations (V.3). Future evaluation activities will provide additional information on this issue.

Objective 2: State policy and strategic assistance will improve institutionalized settings that better focus on meeting challenging standards.

Although recent research has not examined specific state practices as they relate to meeting challenging standards, several states have demonstrated movement toward using Title I, Part D, funds for innovative and creative uses in regular classrooms. Examples of this are found increasingly in institution-wide programs and may take such forms as increased access to computer technology and innovative and thematic instruction.

Although the Title I, Part D, statute requires each state agency or LEA to conduct an evaluation at least once every three years on the effects of the program, little relevant information is consolidated in this way at the state, local, or national level. Forty out of 51 states report "unknown" for over 75 percent of students regarding their grade level at time of release (V.3). Preliminary research reflects the need for monitoring and consequences for incomplete information.

Objective 3: After leaving an institution, N or D students will have the skills needed to make the transition to furthering their education or entering the labor force.

Past evaluations have shown that there has been little regular, dependable, or useful communication between Title I, Part D, Subpart 1, projects and the larger education system. Transition services are critically important to efforts for school reenrollment. State accreditation, which allows credits earned by a student in custody to be transferred to any of the public school districts in the same state facilitates students' reentry into the education system. Most students, however, do not return to school upon release (V.3).

Programs can use up to 10 percent of their N or D funds for transition services. Most services that facilitate transition are supported by the state. For instance, in one state, charter schools that are affiliated with the Department of Youth Rehabilitation and Treatment cater to students not successful in the public school system. Similar curricula can be found in these charter schools and the institutions from where these students came. Other transitional services are career awareness, skill development, recreation, counseling, and vocational training (V.3). External relationships that help students when they leave the facility increases their chances of later success.

IV. Planned Studies

The Department of Education is planning an evaluation of Part D programs that will be composed of

various studies, collecting information drawn from a nationally representative sample of states, correctional facilities, and agencies that serve both juveniles and adults, and in greater depth for a smaller sample of facilities and institutions serving students in correctional facilities.

Questions on Title I, Part D, have also been included in a survey on adult education in correctional facilities. Case studies and other additional work will examine in greater depth the type and level of services students in correctional facilities receive, including information on the extent to which the program has made progress toward its objectives. A separate study will examine dropout prevention efforts in schools and local agencies at the secondary level.

V. Sources of Information

1. State Chapter 1 Participation and Achievement Information-1993-94: Summary Report (Rockville, MD: Westat, Inc., 1996).
2. Unlocking Learning: Chapter 1 in Correctional Facilities. Descriptive Study Findings: National Study of the Chapter 1 Neglected or Delinquent Program (Rockville, MD: Westat, Inc. 1991).
3. Barry Krisberg and Kelly Dedel, Improving the Education of Incarcerated Youth: A Concept Paper, prepared for the U.S. Department of Education, Planning and Evaluation Service (Washington, DC: 1997).
4. O.D. Coffey and M.G. Gemignani, Effective Practices in Juvenile Correctional Education: A Study of the Literature and Research 1980-1992 (Washington, DC: Office of Juvenile Justice and Delinquency Prevention, 1994).
5. Program files.

VI. Contacts for Further Information

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